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EXAMINER
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ART UNIT	PAPER NUMBER
2614	

NOTIFICATION DATE	DELIVERY MODE
04/03/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/828,998	SHAFFER ET AL.
	Examiner	Art Unit	
	KHAI N. NGUYEN	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>04 January 2008</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-32</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-32</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment filed on January 4, 2008 has been entered. Claims **1, 11,**

21, 31 and 32 have been emended. No claims have been canceled. No claims have

been added. Claims 1-32 are still pending in this application, with claims **1, 11, 21, 31**

and 32 being independent.

Claim Rejections - 35 USC § 101

2.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claims 21-30 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter (i.e., logic). The claims 21-30 recite logic

embodied in media, and therefore these claims did not fall within at least one of the four

enumerated categories of patentable subject matter recited in section 101 (i.e., process,

machine, manufacture, or composition of matter).

The claims are clearly drawn to logic and not to a "computer-readable medium encoded

with logic which is executed to perform ......"

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.　　　Claims 1, 11, 21, 31, and 32 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

Claims 1, 11, 21, 31, and 32 are amended with the new acronym IP that need to be

spelled out in the claims to avoid any possible confusion now and in the future for

acronyms may refer to different items or objects. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5.　　　Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Ardon (U.S. Patent Number 5,371,781) in view of McMurry et al. (U.S. Publication

2004/0086102, hereinafter "McMurry").

　　　　In this action, the acronym IP is interpreted as Internet Protocol in the context of

the Session Initiation Protocol (SIP) and an Internet Protocol (IP)-based network as

recited in this instant application's claims 7, 17 and 27.

　　　　Regarding claims 1 and 11, Ardon teaches a system and a method for enhanced

call pickup (Drawing 100 hereinafter "Fig. 100"), the method and the system comprising

one or more processing units collectively operable to:

　　　　access data indicating a current status of each of one or more users in a call

pickup group (CPG) with respect to an incoming phone call to a phone number

corresponding to the CPG (Fig. 100 WIRELESS TELECOMMUNICATION SYSTEM,

115 Cellular Phone 1, 155 Cellular Phone 2, 170 Wire Line Phone, col. 5 lines 29-39);

and

communicate the data to one or more endpoints of one or more users in the CPG

for display to one or more users in the CPG, a display of the data to a first user in the

CPG facilitating the first user determining a current status of each of one or more

second users in the CPG to facilitate a decision by the first user regarding whether to

pick up the incoming phone call, whereby the endpoints can be identified by their

respective IP addresses and the endpoints can communicate using a voice over IP

protocol (VoIP) (Fig. 100 WIRELESS TELECOMMUNICATION SYSTEM, 130 Switch, 3

Cell Site, 125 PSTN, col. 5 lines 39-49).

However, Ardon does not specifically disclose the endpoints can be identified by

their respective IP addresses and the endpoints can communicate using a voice over IP

protocol (VoIP). Although Ardon teaches the endpoints are plain old telephone (Fig.

100, 110), digital wire-line phone (Fig. 100, 170), wireless device/phone (Fig.100, 115),

and car cellular phone (Fig. 100, 160).

In the same field of endeavor, McMurry teaches the systems and methods to

implement call pickup group for VoIP using SIP for call processing in an IP-based

network that is the endpoints can be identified by their respective IP addresses and the

endpoints can communicate using a voice over IP protocol (VoIP) (McMurry - Fig. 1,

105 Data Network, 155-1 to 155-N SIP Devices, Figs. 3A-3B, paragraph [0006] i.e.,

data network like Internet and telephone voice traffic is converted into digital form and

carried by a packet network "VoIP", and paragraphs [0012], [0032] – [0034], i.e., SIP is

the IP-based network using IP addresses for identification and communication for VoIP

as described in Internet Engineering Task Force (IETF) Request For Comments (RFC)-

2543 (IETF, RFC-2543 Session Initiation Protocol (SIP), and its successors RFC-3261

et al.). The advantage of McMurry's invention is the implementation of new services

processing architectures and protocols (e.g. SIP) for the Internet and other data

networks together with the traditional circuit switch networks (e.g., PSTN) (McMurry –

Fig. 1, 105 DATA NETWORK, 110 TELEPHONE NETWORK, paragraph [0006]-[0007]).

It would have been obvious to a person of ordinary in the art at the time of the

invention was made to <u>apply a known technique to a known device</u> (i.e., using SIP, IP

addresses and IP devices for call pickup group in a communication network) <u>ready for

improvement to yield predictable results</u> (see KSR – MPEP 2143). Therefore, it would

have been obvious to a person of ordinary in the art to incorporate the use of IP

addresses to support VoIP, as taught by McMurry, into the method and system of Ardon

in order to enhance the call pickup group services in a communication network.

Regarding claims 2 and 12, Ardon teaches the system and the method, wherein

data indicating a current status of a user in the CPG with respect to the incoming phone

call comprises one or more of:

data identifying the user (TABLE 1, col. 4 lines 50-58);

data indicating a current availability of the user (col. 4 lines 59-62);

data indicating a current presence status of the user (col. 4 lines 63-65);

data indicating a current call status of the user (col. 4 lines 65-66);

data indicating a bandwidth limitation preventing transfer of the incoming phone call to the user (col. 4 lines 66-68, i.e., if channels are available "bandwidth limitation");

data indicating a preference of the user with respect to picking up the incoming phone call (col. 5 lines 1-8); and

data indicating whether the user intends to pick up the incoming phone call (col. 5 lines 12-13, i.e., the first device that answers).

Regarding claims 3 and 13, Ardon teaches the system and the method, wherein the CPG comprises a hunt group (col. 6 lines 6-9, i.e., "Hunt group" services).

Regarding claims 4 and 14, Ardon teaches the system and the method, wherein the one or more processing units are collectively operable to automatically and without user input access and communicate the data in response to the incoming phone call (col. 5 lines 43-45, i.e., message of incoming phone call is sent via PSTN).

Regarding claims 5 and 15, Ardon teaches the system and the method, wherein the one or more processing units are collectively operable to access the data and communicate the data to a particular user in the CPG in response to a request for the data from the particular user (col. 5 lines 49-53).

Regarding claims 6 and 16, Ardon teaches the system and the method, wherein the one or more processing units are collectively operable to:

receive input from the first user in the CPG comprising one or more of:

a first indication of a preference of the first user with respect to picking up the incoming phone call (col. 5 lines 46-49, i.e., display the incoming call which indicates a call pickup call "first indication"); and

a second indication of whether the first user intends to pick up the incoming phone call (col. 5 lines 49-53, i.e., entering a code to pick up incoming call "second indication"); and

communicate the input from the first user to one or more endpoints of one or more second users in the CPG for display to one or more second users in the CPG, a display of the input from the first user facilitating a second user determining a current status of the first user to facilitate a decision by the second user regarding whether to pick up the incoming phone call (Fig. 100, col. 5 lines 40-43, i.e., broadcast the message to all devices in CPG by switch 130 to cell site 3 and PSTN 125).

Regarding claims 8 and 18, Ardon teaches the system and the method further comprising the one or more endpoints of the one or more users in the CPG, each of the endpoints being operable to receive the data from the one or more processing units and display the data to a user in the CPG (Fig. 100, 125 PSTN (endpoint 1) with 170

Telephone (second user 1), Cell Site 3 (endpoint 2) with 155 Cell Phone (second user

2), col. 5 lines 46-47).

Regarding claims 7, 9-10, 17, and 19-20, Ardon discloses everything claimed as

applied above (see claims 1, and 11). However, Ardon fails to include using the new

Session Initiation Protocol (SIP) for call processing, user communication by using a

graphical user interface (GUI) and a button, and the use of pregenerated messages to

communicate the user call status.

In the same field of endeavor, McMurry teaches the systems and methods for

implementing call pickup using SIP for call processing (McMurry – Fig. 1 – 155-1 to 155-

N SIP Devices, Figs. 3A-B, paragraphs [0012], [0032] – [0034]), user communication by

using a GUI and a button (McMurry – paragraph [0038], i.e., a mouse, and paragraph

[0051] lines 11-14, i.e., preprogrammed a button), and the use of pregenerated

messages to communicate the user call status (McMurry – paragraph [0059] lines 4-7).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to provide Ardon with the SIP protocol, GUI and a

button, and pregenerated messages to improve the call pickup services.

Regarding claims 21-30, Ardon and McMurry disclose everything claimed as

applied above (see claims 1 to 20). However, Ardon does not specifically disclose the

invention logic is readily implement-able as the computer executable instruction in one

or more computer-readable signal-bearing media.

Again, McMurry teaches the systems and methods for implementing call pickup

using SIP for call processing (McMurry – Fig. 1, 155-1 to 155-N SIP Devices, Figs. 3A-

B, paragraphs [0012], [0032] – [0034], and Exemplary Processing paragraphs [0041] –

[0064]). The advantage of McMurry's invention is the logic can be implemented with

executing software instructions contained in a computer-readable medium (McMurry –

paragraph [0040] lines 1-5, i.e., memory devices, computer-readable medium, etc.).

Additionally, the software instructions can be combined with hardware to implement the

invention (McMurry - paragraph [0040] lines 6-11).

Therefore, it would have been obvious to person of ordinary skill in the art at the

time the invention was made to provide Ardon with an article, comprising: one or more

computer-readable signal-bearing media to implement the method, the logic or process

steps for call pickup services.

Regarding claim 31, Ardon teaches a system for enhanced call pickup, the

system comprising one or more processing units collectively operable to:

in response to an incoming phone call to a phone number corresponding to a call

pickup group (CPG), automatically and without user input (Fig. 100, 115 Cellular Phone

1, 155 Cellular Phone 2, 170 Wire Line Phone, col. 5 lines 43-45, i.e., message of

incoming phone call is sent via PSTN):

access data indicating a current status of each of one or more users in a

CPG with respect to an incoming phone call to a phone number corresponding to

the CPG, the data comprising one or more of (Fig. 100, 115 Cellular Phone 1,

155 Cellular Phone 2, 170 Wire Line Phone, col. 5 lines 29-39):

> data identifying the user (TABLE 1, col. 4 lines 50-58);

> data indicating a current availability of the user (col. 4 lines 59-62);

> data indicating a current presence status of the user (col. 4 lines 63-65);

> data indicating a bandwidth limitation preventing transfer of the incoming

phone call to the user (col. 4 lines 66-68, i.e., if channels are available

"bandwidth limitation"); and

> data indicating a current call status of the user (col. 4 lines 65-66);

using SIP, communicate the data to one or more endpoints of one or more users

in the CPG for display to one or more users in the CPG, a display of the data to a first

user in the CPG facilitating the first user determining a current status of each of one or

more second users in the CPG to facilitate a decision by the first user regarding whether

to pick up the incoming phone call (Fig. 100 WIRELESS TELECOMMUNICATION

SYSTEM, 130 Switch, 3 Cell Site, 125 PSTN, col. 5 lines 39-49);

receive input from the first user in the CPG comprising one or more of:

> a first indication of a preference of the first user with respect to picking up

the incoming phone call (col. 5 lines 46-49, i.e., display the incoming call which

indicates a call pickup call "first indication"); and

> a second indication of whether the first user intends to pick up the

incoming phone call (col. 5 lines 49-53, i.e., entering a code to pick up incoming

call "second indication"); and

using SIP, communicate the input from the first user to one or more endpoints of

one or more second users in the CPG for display to one or more second users in the

CPG, a display of the input from the first user facilitating a second user determining a

current status of the first user to facilitate a decision by the second user regarding

whether to pick up the incoming phone call, whereby the endpoints can be identified by

their respective IP addresses and the endpoints can communicate using a voice over IP

protocol (VoIP) (Fig. 100, 130Switch, 3 Cell Site, 125 PSTN, col. 5 lines 40-43, i.e.,

broadcast the message to all devices in CPG by switch 130 to cell site 3 and PSTN

125).

What Ardon does not specifically teach is using SIP for the above operation

steps, and the endpoints can be identified by their respective IP addresses and the

endpoints can communicate using a voice over IP protocol (VoIP). Although Ardon

teaches the endpoints are plain old telephone (Fig. 100, 110), digital wire-line phone

(Fig. 100, 170), wireless device/phone (Fig.100, 115), and car cellular phone (Fig. 100,

160).

However, in the same field of endeavor, McMurry teaches the systems and

methods to implement call pickup group for VoIP using SIP for call processing in an IP-

based network that is the endpoints can be identified by their respective IP addresses

and the endpoints can communicate using a voice over IP protocol (VoIP) (McMurry -

Fig. 1, 105 Data Network, 155-1 to 155-N SIP Devices, Figs. 3A-3B, paragraph [0006]

i.e., data network like Internet and telephone voice traffic is converted into digital form

and carried by a packet network "VoIP", and paragraphs [0012], [0032] – [0034], i.e.,

SIP is the IP-based network using IP addresses for identification and communication for

VoIP as described in Internet Engineering Task Force (IETF) Request For Comments

(RFC)-2543 (IETF, RFC-2543 Session Initiation Protocol (SIP), and its successors

RFC-3261 et al.). The advantage of McMurry's invention is the implementation of new

services processing architectures and protocols (e.g. SIP) for the Internet and other

data networks together with the traditional circuit switch networks (e.g., PSTN)

(McMurry – Fig. 1, 105 DATA NETWORK, 110 TELEPHONE NETWORK, paragraphs

[0006]-[0007]).

It would have been obvious to a person of ordinary in the art at the time of the

invention was made to apply a known technique to a known device (i.e., using SIP, IP

addresses and IP devices for call pickup group in a communication network) ready for

improvement to yield predictable results (see KSR – MPEP 2143). Therefore, it would

have been obvious to a person of ordinary in the art to incorporate the use of SIP

protocol with IP addresses for call processing to support VoIP, as taught by McMurry,

into the method and system of Ardon in order to enhance the call pickup group services

in a communication network.

Regarding claim 32, Ardon teaches a system for enhanced call pickup, the

system comprising:

means for accessing data indicating a current status of each of one or more

users in a call pickup group (CPG) with respect to an incoming phone call to a phone

number corresponding to the CPG (Fig. 100, 115 Cellular Phone 1, 155 Cellular Phone

2, 170 Wire Line Phone, col. 5 lines 29-39); and

means for communicating the data to one or more endpoints of one or more

users in the CPG for display to one or more users in the CPG, a display of the data to a

first user in the CPG facilitating the first user determining a current status of each of one

or more second users in the CPG to facilitate a decision by the first user regarding

whether to pick up the incoming phone call, whereby the endpoints can be identified by

their respective IP addresses and the endpoints can communicate using a voice over IP

protocol (VoIP) (Fig. 100, 130 Switch, 3 Cell Site, 125 PSTN, col. 5 lines 39-49).

Again, Ardon does not specifically disclose the endpoints can be identified by

their respective IP addresses and the endpoints can communicate using a voice over IP

protocol (VoIP). Although Ardon teaches the endpoints are plain old telephone (Fig.

100, 110), digital wire-line phone (Fig. 100, 170), wireless device/phone (Fig.100, 115),

and car cellular phone (Fig. 100, 160).

In the same field of endeavor, McMurry teaches the systems and methods to

implement call pickup group for VoIP using SIP for call processing in an IP-based

network that is the endpoints can be identified by their respective IP addresses and the

endpoints can communicate using a voice over IP protocol (VoIP) (McMurry - Fig. 1,

105 Data Network, 155-1 to 155-N SIP Devices, Figs. 3A-3B, paragraph [0006] i.e.,

data network like Internet and telephone voice traffic is converted into digital form and

carried by a packet network "VoIP", and paragraphs [0012], [0032] – [0034], i.e., SIP is

the IP-based network using IP addresses for identification and communication for VoIP

as described in Internet Engineering Task Force (IETF) Request For Comments (RFC)-

2543 (IETF, RFC-2543 Session Initiation Protocol (SIP), and its successors RFC-3261

et al.). The advantage of McMurry's invention is the implementation of new services

processing architectures and protocols (e.g. SIP) for the Internet and other data

networks together with the traditional circuit switch networks (e.g., PSTN) (McMurry –

Fig. 1, 105 DATA NETWORK, 110 TELEPHONE NETWORK, paragraph [0006]-[0007]).

It would have been obvious to a person of ordinary in the art at the time of the

invention was made to apply a known technique to a known device (i.e., using SIP, IP

addresses and IP devices for call pickup group in a communication network) ready for

improvement to yield predictable results (see KSR – MPEP 2143). Therefore, it would

have been obvious to a person of ordinary in the art to incorporate the use of IP

addresses to support VoIP, as taught by McMurry, into the method and system of Ardon

in order to enhance the call pickup group services in a communication network.

Response to Arguments

6.   Applicant's arguments with respect to claims 1-32 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to KHAI N. NGUYEN whose telephone number is

(571)270-3141. The examiner can normally be reached on Monday - Thursday 6:30AM

- 5:00PM.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ahmad F. Matar can be reached on (571) 272-7488. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. N. N./
Examiner, Art Unit 2614

/Ahmad F. MATAR/
Supervisory Patent Examiner, Art Unit 2614

03/27/08